

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

vs.)
Plaintiff,)
RUSSELL HART,) Case No. 10-CR-20-JHP
Defendant.)

MINUTE ORDER

You are advised that the following Minute Order was entered by Judge James H.

Payne in the above-styled and numbered cause on June 1, 2010:

The Court has reviewed and considered the Defendant's Motion For Hearing and Revocation of Detention Order [Doc. No. 21], the Government's Response in Opposition [Doc. No. 23], the Pretrial Services Report regarding Defendant Hart, and the testimony presented at the detention hearing held before Magistrate Judge West on May 14, 2010, as well as the Order of Detention entered May 14, 2010. This Court reviews the Magistrate Judge's Detention Order *de novo*. *United States v. Cisneros*, 328 F.3d 610 (10th Cir. 2003). This Court recognizes that it can, in its discretion, hold an evidentiary hearing; however, the Court finds that in this case, a hearing is unnecessary. This Court finds the record contains evidence sufficient to show "there is a serious risk that the Defendant will endanger the safety of another person of the community" as found by the Magistrate Judge [Doc. No. 18]; therefore, the Defendant's Motion For Hearing and Revocation of Detention Order is hereby **DENIED**.

WILLIAM B. GUTHRIE, Clerk

By: s/ C. Trzcinski
Deputy Clerk